

Judge Franklin D. Burgess

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

UNITED STATES OF AMERICA, ) NO. CR05-5828FDB  
Plaintiff, )  
v. ) ORDER CONTINUING  
BRIANA WATERS, )  
Defendant. )

The Court, having considered the Stipulated Motion to Continue Trial filed by the parties and the record in this case, hereby enters the following Order:

WHEREAS, WATERS currently is charged with Conspiracy, in violation of 18 U.S.C. § 371; with Using an Unregistered Firearm, in violation of 26 U.S.C. § 5861(d); with Arson, in violation of 18 U.S.C. § 844(I); and with Using a Destructive Device During a Crime of Violence, in violation of 18 U.S.C. § 924(C);

WHEREAS, this case is a factually-complicated case, which is based upon a Second Superseding Indictment that charges WATERS with participating in a conspiracy that stretched from 1996 to 2001 and was responsible for 25 different crimes, the majority of them arsons:

WHEREAS, the Government currently is in the process of copying and producing more than 27,000 pages of discovery materials to WATERS;

1 WHEREAS, WATERS has retained Robert Bloom of Oakland, California, to  
2 represent her, and Mr. Bloom will appear at trial as co-counsel, along with currently-  
3 appointed defense counsel Neil Fox;

4 WHEREAS, Mr. Bloom is scheduled to commence an approximately three-month  
5 trial in Detroit, Michigan, beginning on October 12, 2006;

6 WHEREAS, Defendant has filed a waiver of her right to speedy trial waiving that  
7 right through May 31, 2007; now, therefore,

8 THE COURT FINDS that defense counsel will require additional time beyond the  
9 currently scheduled trial date in order to investigate adequately this case and to represent  
10 effectively WATERS;

11 THE COURT FURTHER FINDS, that scheduling the trial in this case for a date  
12 earlier than May 7, 2007, would not allow defense counsel adequate time in order to conduct  
13 investigation and trial preparation;

14 THE COURT FURTHER FINDS, pursuant to 18 U.S.C. § 3161(h)(8)(A), that the  
15 ends of justice served by continuing the trial in this case until May 7, 2007, outweigh the  
16 interest of the public and of the Defendant in a more speedy trial; therefore,

17 IT IS HEREBY ORDERED that the trial in this case be continued until May 7,  
18 2007, that pretrial motions in this case be due February 16, 2007, and that responses to  
19 pretrial motions be due March 1, 2007;

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1 IT IS FURTHER ORDERED that the time between the current trial date of August  
2 28, 2006, up to and including the new trial date of May 7, 2007, be excluded in computing  
3 the time within which the trial in this case must commence pursuant to 18 U.S.C.

4 § 3161(h)(8)(A).

5 DONE this 5<sup>th</sup> day of July, 2006.  
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10 FRANKLIN D. BURGESS  
11 UNITED STATES DISTRICT JUDGE

12 Presented by:  
13 JOHN MCKAY  
14 United States Attorney

15 /s/ Mark Bartlett  
16 MARK BARTLETT  
17 First Assistant United States Attorney

18 /s/ Andrew C. Friedman  
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